Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

I. DISPUTE

1. a. Whether there should be reimbursement of $344.00 for date of service, 12/27/01.

   b. The request was received on 02/28/02.

II. EXHIBITS

1. Requestor, Exhibit I:

   A. Initial Request for Medical Dispute Resolution:
   1. TWCC 60 and Letter Requesting Dispute Resolution undated
   2. HCFA(s)
   3. EOB/TWCC 62 forms/Medical Audit summary
   4. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.

   B. TWCC's request for additional medical documentation was faxed to Requestor on 06/10/02 with a fax confirmation sheet.
   No additional medical documentation noted in this fee dispute file.

2. Respondent, Exhibit II:
   Commission Rule 133.307 (g) (4), the Division notified the Requestor with a copy to the insurance carrier Austin Representative of the Requestor's requirement to submit two copies of additional documentation relevant to the fee dispute on 06/10/02. There is no Carrier initial or 14 day response to this medical fee dispute in the file, evidently due to the fact no response to the notice was received from the Requestor.

III. PARTIES' POSITIONS

1. Requestor: Letter undated
   "**On December 21, 2001, (requestor representative) in behalf of (treating doctor) called the carrier and spoke to (Claimant's) adjustor,… to request preauthorization for a Physical Performance Evaluation. We received the preauthorization to perform the PPE from her. I called the carrier in reference to the disputed charge and was told by… that they had reviewed or audited the charge with the wrong file. She asked to request reconsideration with the correct claim number. The correct claim number as per Ms… is 06W010820550."**

2. Respondent: No position statement

IV. FINDINGS

1. Based on Commission Rule 133.307(d) (1) (2), the only date of service eligible for review is 12/27/01.

2. This decision is being written based on the documentation that was in the file at the time it was assigned to this Medical Dispute Resolution Officer.

3. The following table identifies the disputed services and Medical Review Division's rationale:

DOS	CPT or Revenue CODE	BILLED	PAID	EOB Denial Code(s)	MAR$	REFERENCE	RATIONALE:
12/27/01	97750	$344.00	$0.00	A	$43.00/15 min	MFG MGR (I) (E) (2); CPT Descriptor	The carrier has denied the charges in dispute as "PHYSICAL/OCCUPATIONAL THERAPY BEYOND 8 WEEKS OF TREATMENT MUST BE PREAUTHORIZED IN ACCORDANCE WITH TWCC RULE 134.600." The Medical Review Division's decision is rendered based on denial codes submitted to the Provider prior to the date of this dispute being filed. There is no medical documentation in the file to support that services were rendered or that preauthorization was obtained. N**o** reimbursement is recommended.
Totals		$344.00	$0.00				The Requestor **is not** entitled to reimbursement.

The above Findings and Decision are hereby issued this 12th day of August 2002.

Denise Terry, R.N.
Medical Dispute Resolution Officer
Medical Review Division

DT/dt

This document is signed under the authority delegated to me by Richard Reynolds, Executive Director, pursuant to the Texas Workers' Compensation Act, Texas Labor Code Sections 402.041 - 402.042 and re-delegated by Virginia May, Deputy Executive Director.